



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT REPORT**

▶ **FILE #:** 10-B-17-SP

AGENDA ITEM #: 42

AGENDA DATE: 10/12/2017

▶ **APPLICANT:** HATCHER HILL EC, LLC
OWNER(S): Hatcher-Hill Properties, LLC

TAX ID NUMBER: 120 E A PT. OF 001 PORTION DESIGNATED LDR ONLY [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 7118 Kingston Pike

▶ **LOCATION:** South side Kingston Pike, east of Wellington Dr.

▶ **APPX. SIZE OF TRACT:** 6400 square feet

SECTOR PLAN: West City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Kingston Pike, a major arterial street with 4 lanes and a center turning lane within 85' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** LDR (Low Density Residential) / C-4 (Highway and Arterial Commercial) and O-3 (Office Park)

▶ **PROPOSED PLAN DESIGNATION:** GC (General Commercial)

▶ **EXISTING LAND USE:** Vacant commercial building (formerly Executive Cleaners)

▶ **PROPOSED USE:** Retail

EXTENSION OF PLAN DESIGNATION: Yes ,extension of GC from the north

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Kingston Pike, Office Depot / GC

South: Floodway and offices / LDR, STPA

East: Dunkin Donuts / GC

West: IHOP restaurant / GC

NEIGHBORHOOD CONTEXT This section of the Bearden area along Kingston Pike is developed with commercial uses under C-3 and C-4 zoning.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #10-B-17-SP, amending the West City Sector Plan map to GC (General Commercial) sector plan designation, and recommend the Knoxville City Council also approve the sector plan amendment, to make it operative.**

The Knoxville One Year Plan proposes general commercial uses for these properties. This sector plan

amendment will bring the sector plan into consistency with the One Year Plan. Several properties in the area that are currently designated for office uses are actually zoned and developed with commercial uses. Commercial use of this site will be compatible with the surrounding development and zoning pattern.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been recently made to Kingston Pike., but it is a major arterial street that is adequate to serve the recommended commercial uses. Public water and sewer utilities are available to serve the site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

There are no apparent errors in the plan. The current plan proposes general commercial uses for the northern three quarters of the site. The proposal is a logical extension of that plan designation to include the entire parcel.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

With the established commercial zoning pattern to the north, east and west and the office uses to the south, commercial uses and zoning are appropriate for the subject property.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

No new information or trends have emerged to reveal the need for a plan amendment. The current zoning pattern of similar intensity uses has long been established in this area, making this site appropriate for commercial uses.

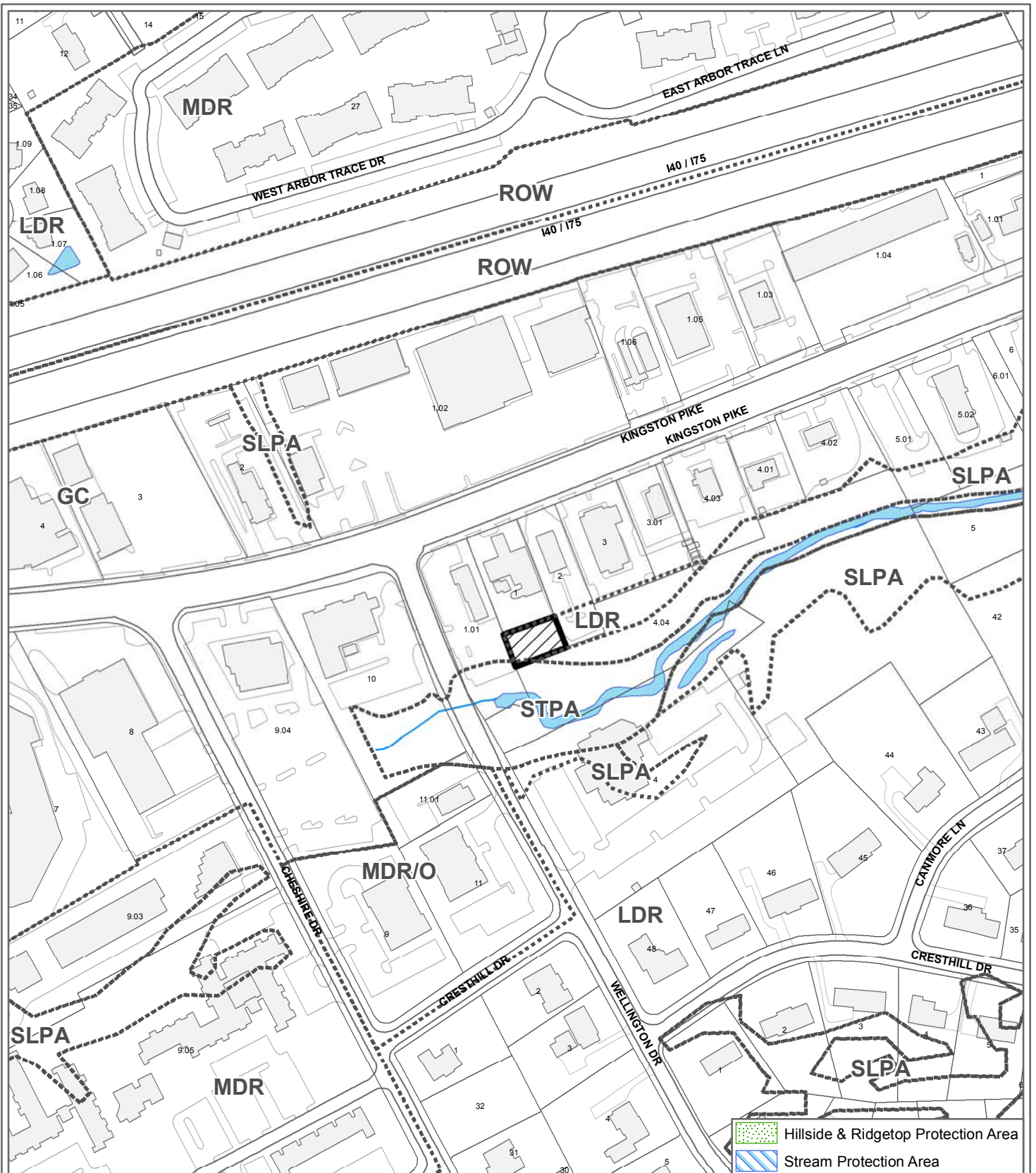
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/7/2017 and 11/21/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



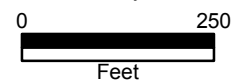
**10-B-17-SP
WEST CITY SECTOR PLAN AMENDMENT**

From: LDR (Low Density Residential)
To: GC (General Commercial)



Petitioner: Hatcher Hill EC, LLC

Map No: 120
Jurisdiction: City



Original Print Date: 9/19/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE WEST CITY SECTOR PLAN

WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and

WHEREAS, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the West City Sector Plan, consistent with the requirements of the General Plan; and

WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and

WHEREAS, Timothy M. Hill, Hatcher-Hill EC, LLC, has submitted an application to amend the Sector Plan from Low Density Residential to General Commercial, for property described in the application; and

WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the West City Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and

WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on October 12, 2017, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the West City Sector Plan, with its accompanying staff report and map, file #10-B-17-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

REZONING PLAN AMENDMENT

Name of Applicant: Timothy M. Hill - Hatcher Hill EC, LLC

Date Filed: 7-24-17 Meeting Date: October 12, 2017

Application Accepted by: Mike Reynolds

Fee Amount: \$1000 File Number: Rezoning 10-B-17-RZ

Fee Amount: \$600 File Number: Plan Amendment 10-B-17-PA 10-B-17-SP



PROPERTY INFORMATION

Address: 7118 Kingston Pike

General Location: [Redacted]

BETWEEN IHOP + DUNKIN' DOUGHNUTS South side Kingston Pike, East of Wellington Dr.

Parcel ID Number(s): 120EA001

Tract Size: .584 or 25,460 Sq. Ft.

Existing Land Use: VACANT

Planning Sector: West City

Growth Policy Plan: Inside City

Census Tract: 44.04

Traffic Zone: 117

Jurisdiction: [X] City Council 2nd District [] County Commission District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: Tim Hill Hatcher Hill EC, LLC

Company:

Address: 311 S. Weisgarben Rd

City: KNOX State: TN Zip: 37919

Telephone: 865-719-7538

Fax:

E-mail: Tim@hatcherhill.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: Tim Hill

Company: Hatcher Hill

Address: 311 S. Weisgarben Rd.

City: Knox State: TN Zip: 37919

Telephone: 865-719-7538

Fax:

E-mail: Tim@hatcherhill.com

Requested Change

REZONING

FROM: C-4 and O-3

TO: C-3

PLAN AMENDMENT

[X] One Year Plan [X] West City Sector Plan

FROM: O (One Year Plan), LDR (Sector Plan)

TO: GC

PROPOSED USE OF PROPERTY

RETA: 1

Density Proposed Units/Acre

Previous Rezoning Requests:

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Timothy M. Hill

PLEASE PRINT Name: Timothy M. Hill

Company: Hatcher Hill EC, LLC

Address: 311 S. Weisgarben Rd

City: Knox State: TN Zip: 37919

Telephone:

E-mail: Tim@hatcherhill.com

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 10-B-17-RZ
 10-B-17-PA

AGENDA ITEM #: 42
AGENDA DATE: 10/12/2017

▶ **APPLICANT:** TIM HILL HATCHER-HILL EC, LLC
 OWNER(S): Hatcher-Hill Properties, LLC

TAX ID NUMBER: 120 E A PART OF 001 PORTION DESIGNATED O ONLY [View map on KGIS](#)
 JURISDICTION: Council District 2
 STREET ADDRESS: 7118 Kingston Pike
 ▶ **LOCATION:** South side Kingston Pike, east of Wellington Dr.
 ▶ **TRACT INFORMATION:** 6400 square feet.
 SECTOR PLAN: West City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ACCESSIBILITY: Access is via Kingston Pike, a major arterial street with 4 lanes and a center turning lane within 85' of right-of-way.
 UTILITIES: Water Source: Knoxville Utilities Board
 Sewer Source: Knoxville Utilities Board
 WATERSHED: Fourth Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** O (Office) / C-4 (Highway and Arterial Commercial) and O-3 (Office Park)
 ▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-3 (General Commercial)
 ▶ **EXISTING LAND USE:** Vacant commercial building (formerly Executive Cleaners)
 ▶ **PROPOSED USE:** Retail
 EXTENSION OF PLAN DESIGNATION/ZONING: Yes, extension of GC designation from the north
 HISTORY OF ZONING REQUESTS: None noted
 SURROUNDING LAND USE, PLAN DESIGNATION, ZONING
 North: Kingston Pike, Office Depot / GC / C-4 (Highway & Arterial Commercial)
 South: Floodway and offices / O, F / F-1 (Floodway) and O-3 (Office Park)
 East: Dunkin Donuts / GC / C-4 (Highway & Arterial Commercial)
 West: IHOP restaurant / GC / C-4 (Highway & Arterial Commercial)
 NEIGHBORHOOD CONTEXT: This section of the Bearden area along Kingston Pike is developed with commercial uses under C-3 and C-4 zoning.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE GC (General Commercial) One Year Plan designation.**

General commercial uses at this location would be a logical extension of the plan designation from the north. The surrounding area is developed with a mix of uses that would be compatible with general commercial uses.

► **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning.**

C-3 is a logical extension of zoning from the north, and is compatible with the scale and intensity of surrounding development and zoning pattern. The recommended amendments to the One Year Plan and sector plan both support commercial uses at this location. This requested zoning change will establish C-3 zoning over the entire subject parcel.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. AN ERROR IN THE PLAN - There are no apparent errors in the plan. The current plan proposes general commercial uses for the northern three quarters of the site. The proposal is a logical extension of that plan designation to include the entire parcel.

B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been recently made to Kingston Pike., but it is a major arterial street that is adequate to serve the recommended commercial uses. Public water and sewer utilities are available to serve the site.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - With the established commercial zoning pattern to the north, east and west and the office uses to the south, commercial uses and zoning are appropriate for the subject property.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - No new information has become available to reveal the need for a plan amendment. The current zoning pattern of similar intensity uses has long been established in this area, making this site appropriate for commercial uses.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. C-3 is a logical extension of commercial zoning from the north.
2. C-3 uses are compatible with the surrounding land use and zoning pattern.
3. C-3 zoning is appropriate for this site, which is adjacent to other commercial uses and zoning, and has access to a major arterial street.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate to be rezoned to C-3.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The recommended C-3 zoning is compatible with the surrounding land uses and zoning pattern.
2. C-3 zoning will not create any direct or indirect adverse effects in the surrounding area or any other part of the County.
3. The existing major arterial street is adequate to handle any additional traffic generated by allowing commercial uses on the site.

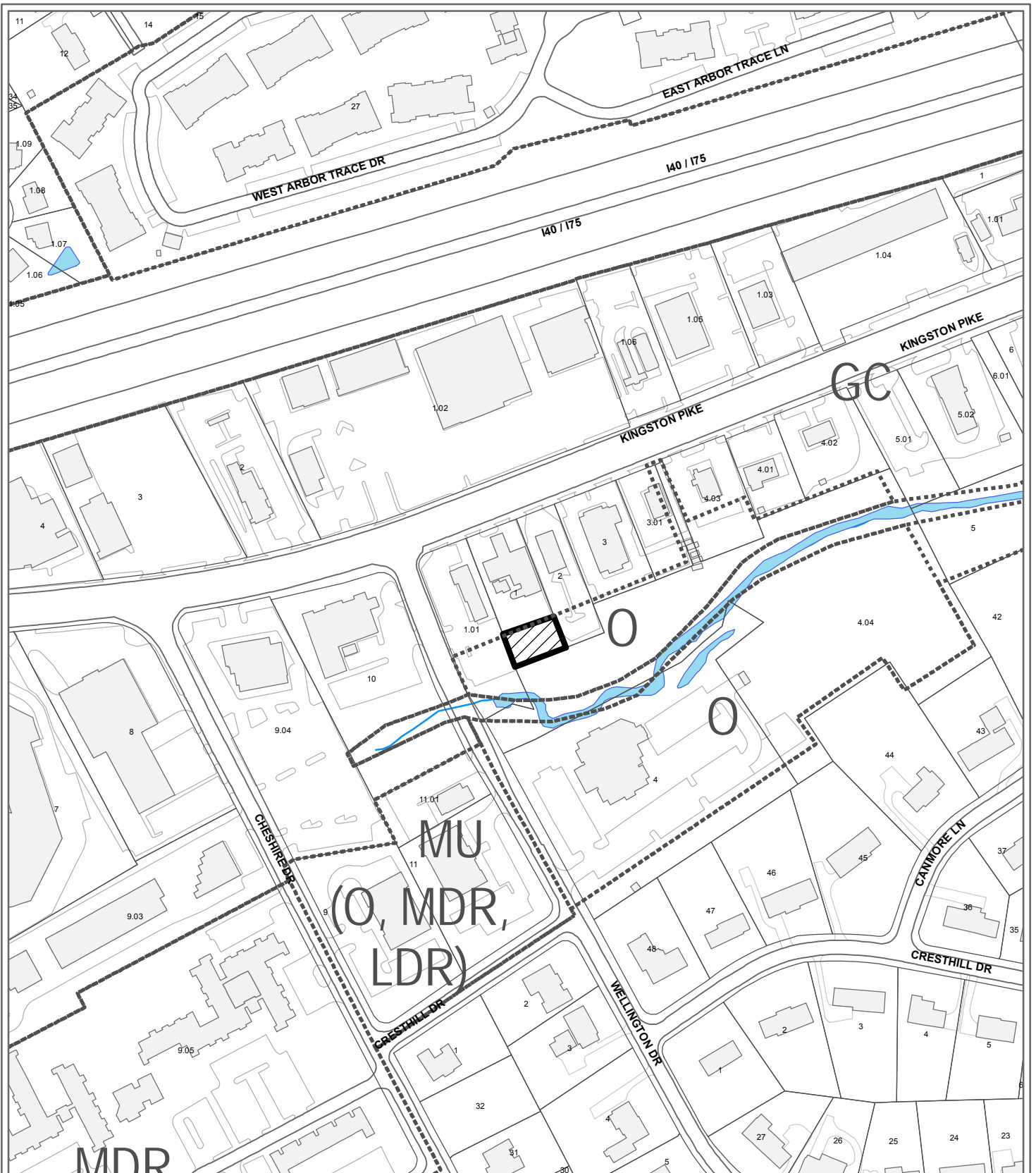
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment to the City of Knoxville One Year Plan to general commercial on the accompanying application (10-B-17-PA), C-3 zoning would be consistent with the plan.
2. With the recommended amendment to the West City Sector Plan to general commercial on the accompanying application (10-B-17-SP), C-3 zoning would be consistent with the plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. This recommended C-3 zoning does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

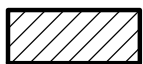
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/7/2017 and 11/21/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**10-B-17-PA / 10-B-17-RZ
PLAN AMENDMENT**

Petitioner: Hatcher-Hill EC, LLC, Tim Hill



From: O (Office)

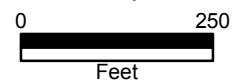
To: GC (General Commercial)

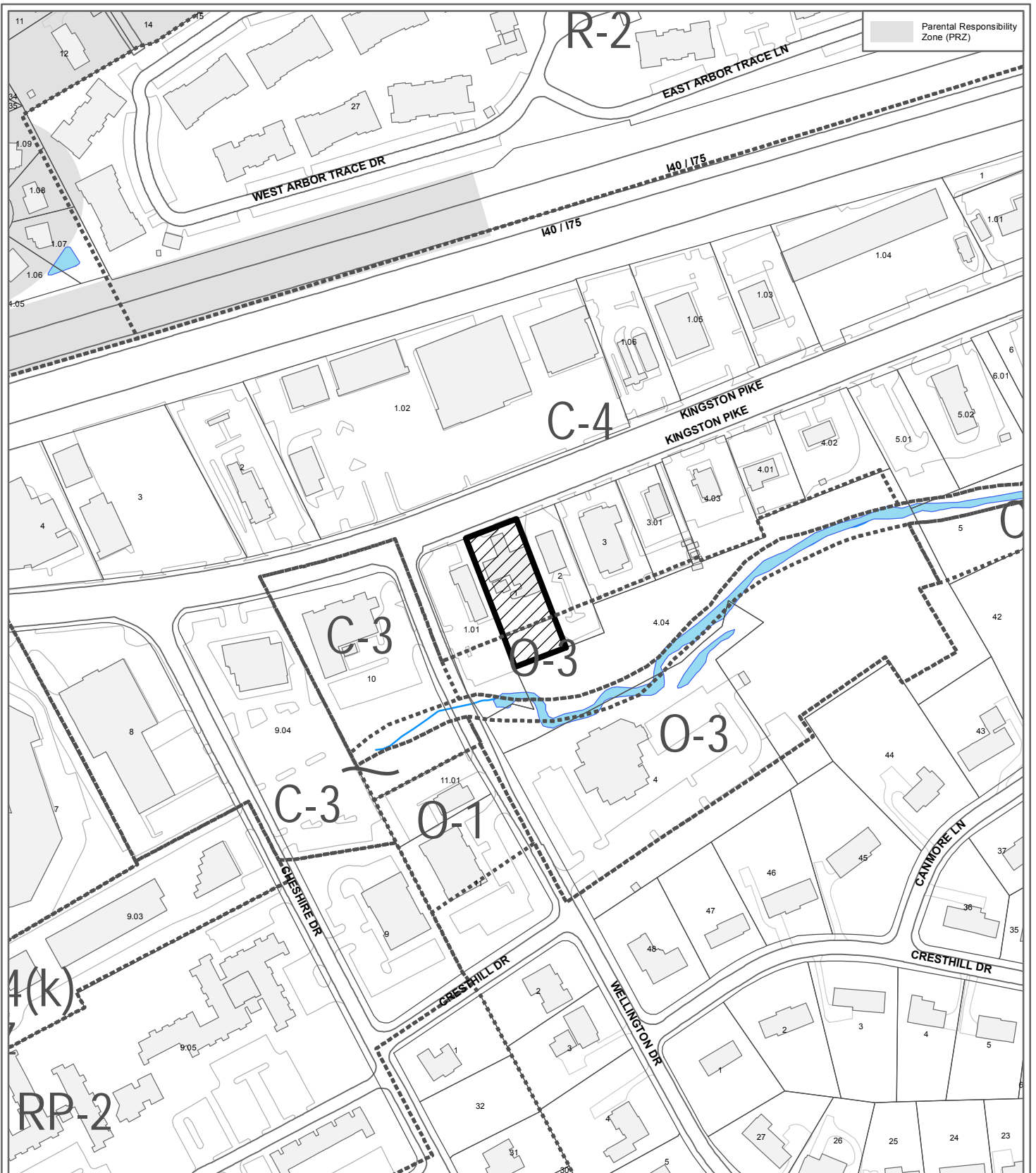
Map No: 120

Jurisdiction: City

Original Print Date: 9/19/2017
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Revised:





**10-B-17-RZ
REZONING**

From: C-4 (Highway and Arterial Commercial) and O-3 (Office Park)
 To: C-3 (General Commercial)



Petitioner: Hatcher-Hill EC, LLC, Tim Hill

Map No: 120

Jurisdiction: City



Original Print Date: 9/19/2017

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

REZONING PLAN AMENDMENT

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Date Filed: 7-24-17 Meeting Date: October 12, 2017

Application Accepted by: Mike Reynolds

Fee Amount: \$1000 File Number: Rezoning 10-B-17-RZ

Fee Amount: \$600 File Number: Plan Amendment 10-B-17-PA 10-B-17-SP



PROPERTY INFORMATION

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General Location: [Redacted]

BETWEEN IHOP + DUNKIN' DOUGHNUTS South side Kingston Pike, East of Wellington Dr.

Parcel ID Number(s): 120EA001

Tract Size: .584 or 25,460 Sq. Ft.

Existing Land Use: VACANT

Planning Sector: West City

Growth Policy Plan: Inside City

Census Tract: 44.04

Traffic Zone: 117

Jurisdiction: [X] City Council 2nd District [] County Commission District

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Company: Hatcher Hill

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Requested Change

REZONING

FROM: C-4 and O-3

TO: C-3

PLAN AMENDMENT

[X] One Year Plan [X] West City Sector Plan

FROM: O (One Year Plan), LDR (Sector Plan)

TO: GC

PROPOSED USE OF PROPERTY

RETA: 1

Density Proposed Units/Acre

Previous Rezoning Requests:

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Timothy M. Hill

PLEASE PRINT

Name: Timothy M. Hill

Company: Hatcher Hill EC, LLC

Address: 311 S. Weisgarben Rd

City: Knox State: TN Zip: 37919

Telephone:

E-mail: Tim@hatcherhill.com